

ORDINANCE NO. 43-03

**AN ORDINANCE TO AMEND THE WEST LAFAYETTE
CITY CODE CONCERNING ALARM SYSTEMS**

WHEREAS, the West Lafayette Police Chief has recommended that certain provisions of the West Lafayette City Code concerning penalties for false alarms should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE that:

Section 1. Section 60.02 shall be deleted.

Section 2. Section 60.03 shall be amended to read as follows:

Sec. 60.03. Registration of alarm business; agents to carry identification cards.

(a) Prior to doing business within the city, an alarm system business shall register with the ~~clerk-treasurer's office~~ police department on a form designated by the city for that purpose. On the form the business shall set forth:

(1) The full name and address of the alarm system business;

(2) The full name, business address and home address of the manager;

(3) A telephone number at which the police department and fire department can notify personnel of the business of a need for assistance at any time;

(4) The name, address and date of birth of all alarm agents employed by the alarm system business.

~~(b) An alarm system business doing business at the time the ordinance codified in this chapter becomes effective shall have thirty days to register as required above, with a fee of one hundred dollars.~~

~~(c)~~ An alarm system business shall promptly notify the ~~clerk-treasurer~~ police department in writing of any change in the information contained in the registration form.

~~(d)~~ Every alarm agent shall carry on his or her person at all times while engaged in the alarm system business an identification card, which shall be displayed to any police officer or fire department officer upon request.

Section 3. Section 60.05 shall be amended to read as follows:

Sec. 60.05. Notice of violation.

(a) Upon any false alarm, The the police chief, fire chief or designee may shall issue a notice of violation. The person who owns or controls the property shall deliver a written report within 15 days to the police department detailing the circumstances of the

~~false alarm and steps to be taken to prevent any future false alarms. Upon the issuance of the first three violations of § 60.04(a)(1) for any specific property per calendar year, any fine will be excused upon the violator submitting a written report to the police chief or fire chief on the cause of the alarm within two weeks of service of notice of violation. Such report must show that steps have been taken to correct the problem and that the problem will not occur again in the future.~~

~~(b) The notice of violation shall state the name of the violator, the location of the violation, the date and time of the violation, the section of this chapter which was violated, the penalties for the violation, and the violator's right to an appeal under any section of this chapter, if applicable. After the first three violations of § 60.04(a)(1) or for any violation of this chapter that the police chief or designee determines is not excusable, the police chief or designee may cite the violator to court for violation of this chapter.~~

~~(c) A notice of violation complaint and summons shall may be served, in person or by mailing upon the violator wherever the violator may be found or at the violator's last known address. Service shall be complete upon the mailing (regardless of the receipt of the notice) or posting of the notice upon the property where the alarm is located.~~

Section 4. Section 60.06 shall be deleted.

Section 5. Section 60.07 shall be amended to read as follows:

Sec. 60.07. Penalties.

(a) —The fine imposed for violation of this chapter will be twenty-five dollars for the first violation, fifty dollars for the next succeeding violation, one hundred dollars for the next succeeding violation, and two hundred dollars for all subsequent violations. The fine structure is based on the number of violations per calendar year. The fines apply provided the fine is paid ~~within two weeks of service of the notice of violation at or before the court date or trial date; Otherwise otherwise,~~ the amount of the fine is doubled.

~~(b) —The fine imposed will be due and payable to the city clerk treasurer's office within two weeks of the citation date. In the event that a hearing on excuse was held, the fine will be due within two weeks of the date that the decision was made.~~

This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

INTRODUCED AND FILED ON _____, 2003.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA ON _____, 2004, HAVING BEEN PASSED BY A VOTE OF ____ IN FAVOR AND ____ OPPOSED.

Presiding Officer

Attested:

Clerk-Treasurer

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE,
INDIANA _____, 2004, AT THE HOUR OF _____.M.

Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME ON _____, 2004,
AT THE HOUR OF _____.M.

Jan H. Mills, Mayor

Attested:

Clerk-Treasurer